



Universal Service Administrative Company
Schools & Libraries Division

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FUNDING COMMITMENT DECISION LETTER

(Funding Year 2004: 07/01/2004 - 06/30/2005)

January 11, 2005

Jerry C. Woodyard
METROPOLITAN DAYTON EDUCATIONAL COOPERATIVE ASSOCIATION
225 LINWOOD ST
DAYTON, OH 45405

Re: Form 471 Application Number: 389344
Funding Year 2004: 07/01/2004 - 06/30/2005
Billed Entity Number: 151340
Applicant's Form Identifier: MDECA471NP2004

Thank you for your Funding Year 2004 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$42,081.95 is "Approved."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

NEXT STEPS

- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service providers) or Form 472 (Billed Entity)

FUNDING COMMITMENT REPORT

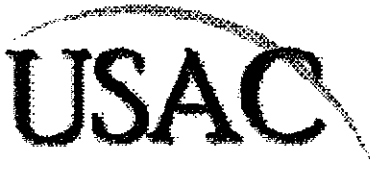
On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (FRNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received by the SLD or postmarked withing 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can: Letter of Appeal
2. State outright that your letter is an: 471 Application #389344 (all FRNs under appeal)
Decision(s) you are appealing. Indicate: Metropolitan Dayton Educational Cooperative Association
of the FCDL. Your letter of appeal must: Entity #151340
Contact: Jerry C. Woodyard Phone (937) 223-4980

13A



Universal Service Administrative Company
Schools & Libraries Division

DATE: November 9, 2004

Jerry Woodyard
Metropolitan Dayton Educational Coop Assoc
937-223-4980
Application Number(s): 389344

Letter of Appeal
471 Application #389344 (all FRNs under appeal)
Metropolitan Dayton Educational Cooperative Association
Entity #151340
Contact: Jerry C. Woodyard Phone (937) 223-4980

Dear Jerry:

The Program Integrity Assurance (PIA) team is in the process of reviewing all Form 471 Applications for schools and libraries discounts to ensure that they are in compliance with the rules of the federal universal service program. We are currently in the process of reviewing your Funding Year 2003⁴ Form 471 Application. To complete our review, we need some additional information.

- 1 For FRNs 1109672, 1109693, 1109706, the Contract Award Date (2/16/1996) for the services requested is before the Allowable Contract Date (1/6/2000 or 1/5/2001) of the cited Forms 470 (161970000263580 & 642890000325893).

The rules of this support mechanism require that the CAD be after the ACD. Please answer the following question, and provide the requested documentation as indicated:

Please provide a copy of the contract to verify the correct CAD, and also verify if the referenced Form 470 is the establishing Form 470 for the services to the entity on this Form 471. If the referenced Form 470 is NOT the establishing Form 470, please provide the 15-digit Form 470 Number that did establish the bidding for the FRN. The establishing Form 470 is the specific Form 470, which was posted for that particular service for 28 days, and pursuant to which a contract was signed or an agreement was entered into. The establishing 470 could have been posted by the State, if the requested services are being purchased off of a State Master Contract.

- 2 Based upon review of your Form 471 application, it appears that FRNs 1150451, 1150460, 1150465, 1150472, 1150479, 1150487, 1150493, 1150501, 1150508, 1150515, 1150523, 1150528, 1150546, 1151834, 1151837, 1151840, 1151843, 1151851, 1151856, 1151861, 1151863, 1151867, 1151871 has the same contract number as FRNs in Funding Year 2003 Application 338921, and the Contract Expiration Date submitted in Block 5, Item 20, has changed from 1/10/2005 to 2/22/2005 or later. The rules of this support mechanism require that a new Form 470 be posted for 28-Days prior to extending the existing contract, unless the establishing Form 470 for the original contract made all potential bidders aware of your ability to extend the contract beyond its initial term. Please answer the following question, and provide the requested documentation as indicated:

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Please provide a copy of the contract, and any applicable contract extensions.

Did the Contract Expiration Date change from what was reported on the FRNs on Funding Year 2003 Form 471 application number 338921?

If so, please provide the 15-digit Form 470 that established the bidding for the contract extension. The establishing Form 470 is the specific Form 470, which was posted for that particular service for 28 days, and pursuant to which a contract was signed, extended, or an agreement was entered into. The establishing 470 could have been posted by the State, if the requested services are being purchased off of a State Master Contract. If your contract extension was not posted for 28-Days to a new Form 470, please indicate such.

If the contract extension was not posted to a new Form 470 for 28-Days, please provide any relevant bid information, such as a copy of the request for proposals (RFP), that was relied upon when the original contract was competitively bid and signed.

Please fax or e-mail the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested so we can complete our review. **Failure to do so may result in a reduction or denial of funding.**

Please send the requested information within seven calendar days. If you need additional time to prepare your response, please let me know as soon as possible.

Thank you for cooperation and continued support of the Universal Service Program.

Sincerely,

Michael Finkelstein
Schools And Libraries Division
Program Integrity Assurance
Phone: 973-581-6722
FAX: 973-599-6578
e-mail: mfinkel@sl.universalservice.org

Letter of Appeal
471 Application #389344 (all FRNs under appeal)
Metropolitan Dayton Educational Cooperative Association
Entity #151340
Contact: Jerry C. Woodyard Phone (937) 223-4980

 *** ACTIVITY REPORT ***

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ST. TIME	CONNECTION TEL/ID	SENDER NAME	NO.	MODE	PGS.	RESULT
*11/09 22:27			5082	AUTO RX ECM	1	OK 00'49
*11/10 02:54			5083	AUTO RX ECM	1	OK 00'53
*11/10 05:06			5084	AUTO RX ECM	1	OK 00'17
*11/10 11:51			5085	AUTO RX ECM	1	OK 00'43
*11/10 12:01	ARCANUM 1010432 19376925959		1945	TRANSMIT ECM	3	OK 00'56
*11/10 12:46			5086	AUTO RX ECM	1	OK 00'29
*11/10 12:49	42		5087	AUTO RX ECM	1	OK 00'32
*11/10 12:56	9378353081		5088	AUTO RX ECM	4	OK 01'41
*11/10 13:01			5089	AUTO RX ECM	1	OK 00'27
*11/10 13:33			5090	AUTO RX ECM	1	OK 00'21
*11/10 13:36			5091	AUTO RX ECM	1	OK 00'34
*11/10 14:48	ARCANUM 1010432 19376925959		1946	TRANSMIT ECM	9	OK 05'05
*11/10 14:55			5092	AUTO RX ECM	1	OK 00'22
*11/10 15:51	MONTG CO ESC 9 4967426		1947	TRANSMIT ECM	2	OK 00'20
*11/11 09:08	937 434 0507		5093	AUTO RX ECM	1	OK 00'42
*11/11 09:44			5094	AUTO RX ECM	2	OK 00'42
*11/11 10:54			5095	AUTO RX ECM	1	OK 00'44
*11/11 12:12			5096	AUTO RX ECM	1	OK 00'50
*11/11 15:05			5097	AUTO RX G3	2	OK 01'52
*11/11 15:33			5098	AUTO RX ECM	1	OK 00'58
*11/11 15:39	803 631 4778		5099	AUTO RX ECM	1	OK 00'39
*11/11 17:06			5100	AUTO RX ECM	1	NG 00'58
*11/11 17:37			5101	AUTO RX ECM	1	OK 00'31
*11/12 11:36	NEW LEBANON 9 6877321		1948	TRANSMIT ECM	3	OK 00'47
*11/12 14:14	CITY DAY COMMUNI 937 223 8136		5102	AUTO RX ECM	4	OK 01'35
*11/12 15:32	94156429		1949	TRANSMIT ECM	2	OK 00'21
*11/12 15:38	94156429		1950	TRANSMIT ECM	3	OK 00'28
*11/14 20:39			5103	AUTO RX G3	0	NG 00'48
*11/15 10:18			5104	AUTO RX ECM	1	OK 00'22
*11/15 10:30			5105	AUTO RX	0	NG 00'43
*11/15 10:44	92781111		1951	TRANSMIT ECM	2	OK 00'39
*11/15 14:44	1 937 692 6547		5106	AUTO RX ECM	3	OK 00'36
*11/15 17:19	19735996578		1952	TRANSMIT	0	NG 00'00
*11/15 17:20	919735996578		1953	TRANSMIT ECM	47	OK 18'05
*11/15 17:39	919735996578		1954	TRANSMIT ECM	47	OK 18'04
*11/15 20:29	PIQUA B.O.E 9377784517		5107	AUTO RX ECM	1	OK 00'36
*11/16 01:41	541 744 2056		5108	AUTO RX ECM	1	OK 00'37
11/16 09:13			5109	AUTO RX ECM	1	OK 00'29
11/16 09:18			5110	AUTO RX ECM	1	OK 00'28
11/16 09:22	919735996578		1955	TRANSMIT ECM	47	OK 16'54

Letter of Appeal

471 Application #389344 (all FRNs under appeal)

Metropolitan Dayton Educational Cooperative Association

Entity #151340

Contact: Jerry C. Woodyard Phone (937) 223-4980

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M D E C A
METROPOLITAN DAYTON EDUCATIONAL
COOPERATIVE ASSOCIATION

225 LINWOOD STREET, DAYTON, OHIO 45405
TEL (937)223-4980 FAX (937)223-2385

* Being sent in 2 fax
TRANSMISSIONS *

This is Fax #1 pages 1-47

TO: Schools and Libraries Division Attn: Michael Finkelstein

FAX # (973) 599-6578

FROM: Tammy Watson, Office Coordinator (for Jerry C. Woodyard)

SUBJECT: E-Rate Application #389344 - Response to 11/09/2004 Request

DATE: 11/15/2004

PAGES: (Including this cover sheet) 93

Mr. Finkelstein:

Per your request of 11/09/2004 for additional documentation for application #389344, we are submitting this fax.

Please note the following:

- 1) We would like to request an extension for providing documentation for the three FRNs listed in #1.
- 2) All pages of the fax are identified with the fax page number in the upper right corner of each page.
- 3) The first several pages of the fax include information relevant to the FRNs. Then documentation is included and labeled for each FRN listed from your #2.
- 4) If any of the documentation is not sufficient for approval, please let us know and we will determine if additional documentation is available.
- 5) If any information submitted does not clearly answer the questions, please let us know immediately so we may clarify such information.

Thank you

Letter of Appeal

471 Application #389344 (all FRNs under appeal)

Metropolitan Dayton Educational Cooperative Association

Entity #151340

Contact: Jerry C. Woodyard Phone (937) 223-4980

Requesting
EXTENSION
→

Letter of Appeal
471 Application #389344 (all FRNs under appeal)
Metropolitan Dayton Educational Cooperative Association
Entity #151340
Contact: Jerry C. Woodyard Phone (937) 223-4980

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M D E C A
METROPOLITAN DAYTON EDUCATIONAL
COOPERATIVE ASSOCIATION

225 LINWOOD STREET, DAYTON, OHIO 45405
TEL (937)223-4980 FAX (937)223-2385

* Being sent in 2 fax
TRANSMISSIONS*

This is fax #2 - pages 1 & 48-93

TO: Schools and Libraries Division Attn: Michael Finkelstein

FAX # (973) 599-6578

FROM: Tammy Watson, Office Coordinator (for Jerry C. Woodyard)

SUBJECT: E-Rate Application #389344 - Response to 11/09/2004 Request

DATE: 11/15/2004

PAGES: (Including this cover sheet) 93

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Thank you.

 Tammy Watson (for Jerry C. Woodyard)

Requesting
EXTENSION
→

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Metropolitan Dayton Educational Cooperative Association
225 Linwood Street, Dayton, OH 45405
Phone: (937) 223-4980 Fax: (937) 223-2385

Metropolitan Dayton Educational Cooperative Association
Contact: Jerry C. Woodyard Telephone: (937) 223-4980
Program Year 2004 – 471 Application #389344

Entity #151340

Response to PIA request for information – dated 11/09/2004:

#1 Services for FRNs 1109672, 1109693, and 1109706 were established under a State Master Contract.

We are requesting an extension of the PIA review period for submitting a copy of this contract.

#2

Please note the following for all below listed FRNs

- A. The Metropolitan Dayton Educational Cooperative Association posts a 470 on the SLD website on an annual basis, offering service providers the opportunity to bid on all current and new services. The latest posted 470 application relative to 471 Application #38944 is 470 application number 168310000473109, certified on 12/04/2003.
- B. Same circumstances as listed below have been involved in previous Program Years and approved by the SLD.
- C. Please refer to specific notes listed below for each FRN, as some contain additional information relevant to the specific FRN.
- D. Copies of all contracts enclosed as requested.

Letter of Appeal
471 Application #389344 (all FRNs under appeal)
Metropolitan Dayton Educational Cooperative Association
Entity #151340
Contact: Jerry C. Woodyard Phone (937) 223-4980

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Metropolitan Dayton Educational Cooperative Association
225 Linwood Street, Dayton, OH 45405
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Program Year 2004 – 471 Application #389344

Entity #151340

- E. Please note that for all of the below listed FRNs, we claimed the actual contract amount for monthly service. We do receive a 10% educational discount off of the contracted amount each month. At the time of filing 471 application #389344, our SBC (Ameritech) account representative indicated that SBC had fulfilled their “regulatory requirement” for providing the 10% educational discount and was under the impression we would not continue to receive the discount by 07/01/2004, and it would be in our best interest to report the entire contract amounts on our 471 application. As of November 15, 2004 we are still receiving the educational discount, but we are not sure when it will be discontinued by SBC (Ameritech). When approved, we will only file for E-Rate reimbursement on the actual amounts we have paid to SBC (Ameritech), whether it be with or without the educational discount.

FRN 1150451

(Funding Year 2003 471 Application #338921, FRN 921630)
Contract expiration date changed from 01/10/2005 to 09/18/2005

Contract expiration date changed based on service not being installed until 09/19/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

FRN 1150460

(Funding Year 2003 471 Application #338921, FRN 921631)
Contract expiration date changed from 01/10/2005 to 10/15/2005

Contract expiration date changed based on service not being installed until 10/16/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

Letter of Appeal
471 Application #389344 (all FRNs under appeal)
Metropolitan Dayton Educational Cooperative Association
Entity #151340
Contact: Jerry C. Woodyard Phone (937) 223-4980

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Metropolitan Dayton Educational Cooperative Association
Contact: Jerry C. Woodyard Telephone: (937) 223-4980
Program Year 2004 – 471 Application #389344

Entity #151340

FRN 1150465

(Funding Year 2003 471 Application #338921, FRN 921632)
Contract expiration date changed from 01/10/2005 to 10/18/2005

Contract expiration date changed based on service not being installed until 10/19/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

FRN 1150472

(Funding Year 2003 471 Application #338921, FRN 921633)
Contract expiration date changed from 01/10/2005 to 09/18/2005

Contract expiration date changed based on service not being installed until 09/19/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

FRN 1150479

(Funding Year 2003 471 Application #338921, FRN 921634)
Contract expiration date changed from 01/10/2005 to 10/15/2005

Contract expiration date changed based on service not being installed until 10/16/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

Letter of Appeal
471 Application #389344 (all FRNs under appeal)
Metropolitan Dayton Educational Cooperative Association
Entity #151340
Contact: Jerry C. Woodyard Phone (937) 223-4980

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Contact: Jerry C. Woodyard Telephone: (937) 223-4980
Program Year 2004 – 471 Application #389344

Entity #151340

FRN 1150487

(Funding Year 2003 471 Application #338921, FRN 921635)
Contract expiration date changed from 01/10/2005 to 10/16/2005

Contract expiration date changed based on service not being installed until 10/17/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

FRN 1150493

(Funding Year 2003 471 Application #338921, FRN 921636)
Contract expiration date changed from 01/10/2005 to 09/01/2005

Contract expiration date changed based on service not being installed until 09/02/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

FRN 1150501

(Funding Year 2003 471 Application #338921, FRN 921637)
Contract expiration date changed from 01/10/2005 to 11/26/2005

Contract expiration date changed based on service not being installed until 11/27/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

FRN 1150508

(Funding Year 2003 471 Application #338921, FRN 921638)
Contract expiration date changed from 01/10/2005 to 08/28/2005

Contract expiration date changed based on service not being installed until 08/29/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

Letter of Appeal
471 Application #389344 (all FRNs under appeal)
Metropolitan Dayton Educational Cooperative Association
Entity #151340
Contact: Jerry C. Woodyard Phone (937) 223-4980



Metropolitan Dayton Educational Cooperative Association
225 Linwood Street, Dayton, OH 45405
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Metropolitan Dayton Educational Cooperative Association
Contact: Jerry C. Woodyard Telephone: (937) 223-4980
Program Year 2004 – 471 Application #389344

Entity #151340

FRN 1150515

(Funding Year 2003 471 Application #338921, FRN 921639)
Contract expiration date changed from 01/10/2005 to 11/16/2005

Contract expiration date changed based on service not being installed until 11/17/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

FRN 1150523

(Funding Year 2003 471 Application #338921, FRN 921640)
Contract expiration date changed from 01/10/2005 to 09/04/2005

Contract expiration date changed based on service not being installed until 09/05/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

FRN 1150528

(Funding Year 2003 471 Application #338921, FRN 921642)
Contract expiration date changed from 01/10/2005 to 09/01/2005

Contract expiration date changed based on service not being installed until 09/02/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

FRN 1150546

(Funding Year 2003 471 Application #338921, FRN 921644)
Contract expiration date changed from 01/10/2005 to 12/13/2005

Contract expiration date changed based on service not being installed until 12/14/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

Letter of Appeal
471 Application #389344 (all FRNs under appeal)
Metropolitan Dayton Educational Cooperative Association
Entity #151340
Contact: Jerry C. Woodyard Phone (937) 223-4980



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Metropolitan Dayton Educational Cooperative Association Entity #151340
Contact: Jerry C. Woodyard Telephone: (937) 223-4980
Program Year 2004 – 471 Application #389344

FRN 1151834

(Funding Year 2003 471 Application #338921, FRN 921645)
Contract expiration date changed from 01/10/2005 to 01/13/2006 (**should be 01/31/2006**)

Please note that an error was made in the data entry of the contract expiration date. The correct contract expiration date is 01/31/2006 (transposition error of “31” to “13”).

Corrected contract expiration date changed based on service not being installed until 02/01/2001 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

FRN 1151837

(Funding Year 2003 471 Application #338921, FRN 921646)
Contract expiration date changed from 01/10/2005 to 01/14/2006

Contract expiration date changed based on service not being installed until 01/15/2001 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.

FRN 1151840

(Funding Year 2003 471 Application #338921, FRN 921647)
Contract expiration date changed from 01/10/2005 to 11/26/2005

Contract expiration date changed based on service not being installed until 11/27/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date.



Metropolitan Dayton Educational Cooperative Association

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Program Year 2004 – 471 Application #389344

Entity #151340

FRN 1151843

(Funding Year 2003 471 Application #338921, FRN 921648)

Contract expiration date changed from 01/11/2006 to 07/25/2004

Contract expiration date changed based on planned cancellation of service due to restructure project requiring service to be changed. Copy of original contract enclosed, as well as 10/01/2004 invoice from service provider that confirms service was cancelled with an actual effective date of 07/26/2004.

FRN 1151851

(Funding Year 2003 471 Application #338921, FRN 921649)

Contract expiration date changed from 01/06/2005 to 02/22/2005

Contract expiration date changed based on service not being installed until 02/23/2000 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date. Please note that on this original invoice, Ameritech (SBC) billed an incorrect monthly amount. Also enclosed is the 07/01/2004 invoice that verifies the \$207.37 contract rate.

FRN 1151856

(Funding Year 2003 471 Application #338921, FRN 921650)

Contract expiration date changed from 06/22/2006 to 09/05/2006

Contract expiration date changed based on service not being installed until 09/06/2001 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date. Please note that on this original invoice, Ameritech (SBC) billed an incorrect monthly amount. Also enclosed is the 07/07/2004 invoice that verifies the \$276.00 contract rate.

Letter of Appeal

471 Application #389344 (all FRNs under appeal)

Metropolitan Dayton Educational Cooperative Association

Entity #151340

Contact: Jerry C. Woodyard Phone (937) 223-4980



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 225 Linwood Street, Dayton, OH 45405
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Metropolitan Dayton Educational Cooperative Association
 Contact: Jerry C. Woodyard Telephone: (937) 223-4980
 Program Year 2004 – 471 Application #389344

Entity #151340

FRN 1151861

(Funding Year 2003 471 Application #338921, FRN 921653)
 Contract expiration date changed from 10/17/2006 to 11/15/2006

Contract expiration date changed based on service not being installed until 11/16/2001 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date. On this original invoice, Ameritech (SBC) charged the wrong monthly amount, also enclosed is the 06/01/2004 invoice that verifies we were being billed based on the contract rate. As allowed under the current contract, one end of the service was moved on 06/30/2004, which was necessitated by a planned restructure project. This resulted in an increase of the current contractual rate by \$112.50 per month, resulting in the new monthly rate of \$225.00 per month as claimed on the 471 application. Copy of the 07/01/2004 invoice showing actual new charges is enclosed.

FRN 1151863

(Funding Year 2003 471 Application #338921, FRN 921655)
 Contract expiration date changed from 01/11/2007 to 03/27/2007

Contract expiration date changed based on service not being installed until 03/28/2002 and we are contractually obligated for paying service provider for 60 months from actual installation date (instead of date contract was originally signed). Copy of initial invoice for service enclosed that verifies service installation date. We were advised by our authorized dealer form Ameritech (SBC) that the original contract contained an error in the channel mileage rate and the actual contract monthly charge would be \$250.00, per the original invoice. As allowed under the current contract, one end of the service was moved on 06/30/2004, which was necessitated by a planned restructure project. At the time of filing 471 application #389344, we were advised by SBC that the additional monthly charge would be \$112.50, resulting in the \$362.50 monthly charge we claimed on the 471 application. When we were actually billed, the actual additional charge is only \$98.00 per month, resulting in a monthly charge of \$348.00 – copy of invoice enclosed to verify new monthly charge. This funding request should be reduced to \$348.00 per month.

Letter of Appeal

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Metropolitan Dayton Educational Cooperative Association
Contact: Jerry C. Woodyard Telephone: (937) 223-4980
Program Year 2004 – 471 Application #389344

Entity #151340

FRN 1151867

(Funding Year 2003 471 Application #338921, FRN 962830)
Contract expiration date changed from 01/22/2008 to 08/06/2006

Contract expiration date changed based on service not being installed until 08/07/2003 and we are contractually obligated for paying service provider for contract term from actual installation date, instead of date contract was originally signed. Copy of original invoice from service provider enclosed to verify installation date. In addition, this is a 36-month renewal contract, but was previously reported incorrectly as a 60-month contract. Please correct dates as follows: contract award date should be 01/22/2003, contract expiration date should be 08/06/2006. We apologize for the errors made in data entry of the dates.

FRN 1151871

(Funding Year 2003 471 Application #338921, FRN 962850)
Contract expiration date changed from 01/22/2008 to 10/08/2005

Contract expiration date changed based on service not being installed until 10/09/2003 and we are contractually obligated for paying service provider for the contract term for the actual installation date (instead of date contract was originally signed). Copy of original invoice from service provider enclosed to verify installation date. In addition, this is a 24-month contract, but was previously reported incorrectly as a 60-month contract. Please correct dates as follows: contract award date should be 01/22/2003, contract expiration date should be 10/08/2005. We apologize for the errors made in data entry of the dates.

As allowed under the current contract, one end of the service was moved on 06/29/2004, which was necessitated by a planned restructure project. At the time of filing 471 application #389344, we were advised by SBC that the additional monthly charge would be \$112.50, resulting in the \$340.50 monthly charge we claimed on the 471 application. When we were actually billed, the actual additional charge is \$118.00 per month, resulting in a monthly charge of \$346.00 – copy of invoice enclosed to verify new monthly charge. We understand that our funding request amount cannot be increased.

Letter of Appeal
471 Application #389344 (all FRNs under appeal)
Metropolitan Dayton Educational Cooperative Association
Entity #151340
Contact: Jerry C. Woodyard Phone (937) 223-4980

WebMail - RE: E-Rate App 389344

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Date Sent: Wednesday, November 17, 2004 4:24 PM

From: watson <watson@MDECA.ORG>

Add to Address Book

To: "Finkelstein, Michael" <MFINKEL@sl.universalservice.org>

Cc: watson <watson@MDECA.ORG>

Subject: RE: E-Rate App 389344

Status: ☐ Urgent ☐ New

Michael,

Hello!

In response to your email of 11/16/2004 (listed below), please review the following information for our E-Rate applications 389344 & 389346:

We filed our 471 applications with the changes reported for contract expiration dates based on the following:

The contract expiration dates reported were changed to reflect accurate contract ending dates. The service provider (SBC - Ameritech) considers the contract term (60 months, 36 months, 24 months, etc...) to begin on the installation date, not the original signed date of the contract. Thus we are contractually obligated and financially responsible for the monthly contracted amount until the contract term is completed. We did not make a decision to extend the contracts, but are fulfilling the terms of the current contracts, per SBC's requirements. We are quite sure that SBC's contractual terms meet FCC regulations. If necessary, we can ask SBC - Ameritech to provide us with a written statement to verify that the contractual term (60 months, 36 months, 24 months, etc...) does not begin until service is installed. It has been our experience that this is a standard industry practice.

In addition, we have changed/corrected information to report actual contract expiration dates on previous years' 471 applications and received approval from the SLD's Program Integrity Assurance Team.

Our Program Year 2003 471 application #338994 involved the same circumstance. The changes were questioned by Program Integrity Assurance (Jane Giancamillo on 07/11/2003) and approved for the reported corrected dates.

Our Program Year 2002 471 application #294631 also involved the same circumstance. The changes were questioned by Program Integrity Assurance (Greg Kostyak on 09/10/2002) and approved for the reported corrected dates.

We did post a 470 application, #168310000473109 - posted 11/25/2003, on the SLD's website that offered service providers the opportunity to competitively bid on all services. We did not receive any bids on these services.

Based on the above information, we reported the corrected contract expiration dates for the FRNs in question on 471 applications #389344 and #389346.

If you recommend that we use a different method for correcting information for future Program years, please let us know and we will follow your advise for the upcoming 471 filing window.

Let me know if you need anything more on this issue.

Thanks.

Tammy

P.S. I am getting ready to leave for the day, but will be back tomorrow at 7:30 AM. I will work tomorrow on answering

Letter of Appeal

471 Application #389344 (all FRNs under appeal)

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questions regarding the FRNs on app #389344 that are on the state master contract.

>===== Original Message From "Finkelstein, Michael" <MFINKEL@sl.universalservice.org> =====

>Tammy

>

>

>

>FYI, the contract expiration dates cannot be changed based on the actual

>installation date of the circuit. The service period starts on the

>installation date but the contract expiration date (60 months after

>contract was signed by applicant) remains the same, regardless of the

>installation date.

>

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>

>Thanks.

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>

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>Michael Finkelstein

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>Schools And Libraries Division

>

>Program Integrity Assurance

>

>Phone: 973-581-6722

>

>

>FAX: 973-599-6578

>

>

>e-mail: mfinkel@sl.universalservice.org

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Letter of Appeal

471 Application #389344 (all FRNs under appeal)

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Contact: Jerry C. Woodyard Phone (937) 223-4980